

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILLENNIUM PIPELINE COMPANY, L.L.C.,

Plaintiff,

**NOTICE OF
CONDEMNATION**

Civil Action No.

07-cv-7646

**CERTAIN PERMANENT AND TEMPORARY
EASEMENTS IN (No Number) EAST SIDE OF
STATE HIGHWAY 94 & 17A, S.B.L. No. 31-2-
64.32 AND (No Number) WEST SIDE OF STATE
HIGHWAY 94 & 17A, S.B.L. No. 31-2-66.2, TOWN
OF WARWICK, COUNTY OF ORANGE, NEW
YORK, John W. Sanford, III, John Doe, et al., and
Unknown Owners,**

Defendants.

TO: John W. Sanford, III
Maple Terrace Farm
Seward Highway
Warwick, NY 10990

Orange & Rockland Utilities, Inc.
One Blue Hill Plaza
Pearl River, New York 10965

You are hereby notified that a Complaint in condemnation has heretofore been filed in the Office of the Clerk of the United States District Court for the Southern District of New York, in the United States Courthouse at 300 Quarropas Street, White Plains, New York, by plaintiff MILLENNIUM PIPELINE COMPANY, L.L.C. ("MILLENNIUM") for the taking of certain permanent and temporary easements in the property located at (No Number) East Side of State Highway 94 & 17A, S.B.L. No. 31-2-64.32 and (No Number) West Side of State Highway 94 & 17A, Town of Warwick, County of Orange, New York, S.B.L. No. 31-2-66.2 (collectively, the "Property"), in which you have or claim an interest and which is more specifically described in Exhibits 1 through 4 attached hereto and made a part hereof.

The uses for which temporary easements in the Property are required are to acquire, construct and operate pipeline facilities from a new compressor station in Corning, New York (milepost 190.6) to the Ramapo, New York measuring and regulating station (milepost 376.6) pursuant to the December 21, 2006 Order issued by the United States Federal Energy Regulatory Commission (“FERC”) entitled “Order Issuing and Amending Certificates, Approving Abandonment, Vacating Certificate and Granting and Denying Requests for Rehearing and Clarification” (“FERC Order”) (the “Project”). The temporary easements that are being acquired are to facilitate pipeline construction and testing for use and exercisable during the construction, preconstruction and testing of the pipeline and restoration of the Property as reasonably required by MILLENNIUM for the purpose of constructing and testing the pipeline and thereafter restoring the Property and to conduct all activities incident thereto, terminating upon the approval of the completed work and Property restoration, unless sooner terminated by MILLENNIUM or its authorized representative. Such temporary easements shall be exercised in and to the Property reserving, however, to the Owner, successors or assigns, the right of using said Property and such use shall not be further limited or restricted under this temporary easement beyond that which is necessary to effectuate its purposes for the construction, preconstruction and testing of the pipeline and restoration of the Property.

MILLENNIUM seeks permanent easements in the Property for the purpose of constructing, operating, inspecting, maintaining, replacing, repairing, altering the size of and removing or abandoning a pipeline at the Property as reasonably required by MILLENNIUM to facilitate the Project. Such permanent easements shall be exercised in and to the Property reserving, however, to the Owner, successors or assigns, the right of using said Property and such use shall not be further limited or restricted under these permanent easements beyond that

which is necessary to effectuate its purposes in connection with the Project, as stated in the Complaint.

The authority for the taking is the Natural Gas Act, 15 U.S.C. §717, *et seq.*

You are further notified that if you desire to present any objection or defense to the taking of your Property you are required to serve your Answer on MILLENNIUM'S attorney at the address herein designated within 20 days after personal service of this Notice of Condemnation upon you.

Your Answer shall identify the Property, state the nature and extent of the interest you claim, and state all of your objections and defenses to the taking of an easement in the Property or your interest in the Property. All defenses and objections not so presented are waived. Your failure to answer the Complaint within 20 days of service of this Notice of Condemnation constitutes a consent to the taking and to the authority of the Court to render a judgment of condemnation of that part of the above-described Property in which you have or claim an interest.

But without answering, you may serve on the MILLENNIUM'S attorney a Notice of Appearance identifying the nature of your interest in the Property. Thereafter you will receive notice of all proceedings affecting it. At the trial of the issue of just compensation, whether or not you have previously appeared or answered, you may present evidence as to the amount of the compensation to be paid for your interest in the Property, and you may share in the distribution of the award.

DATED: August 20, 2007

HISCOCK & BARCLAY, LLP

By:

Darryl J. Colosi D02929
Mark D. Lansing MIDL1947

Attorneys for Plaintiff

Millennium Pipeline Company, L.L.C.
Office and Post Office Address
50 Beaver Street
Albany, New York 12207-2830
Telephone: (518) 434-2163

Plaintiff, Millennium Pipeline Company, LLC, may be served at the offices of its legal counsel, Hiscock & Barclay, LLP, The Standard Oil Building, 26 Broadway, 24th Floor, New York, New York 10004-1840, attention Darryl J. Colosi or Mark D. Lansing.